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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AXIS REINSURANCE COMPANY,

Plaintiff,

v.

TELEKENEX, INC.; ANTHONY ZABIT;  
KAREN SALAZAR; BRANDON CHANEY;  
DEANNA CHANEY; MARK PRUDELL;  
JOY PRUDELL; MARK RADFORD; NIKKI  
RADFORD; JOSHUA SUMMERS; JULIA  
SUMMERS; IXC HOLDINGS, INC.;  
STRAITSHOT COMMUNICATIONS, INC.;  
STRAITSHOT RC, LLC,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. 3:12-cv-02979-SC

**STIPULATION AND REQUEST FOR  
DISMISSAL WITH PREJUDICE OF:**

- 1) **TELEKENEX, INC., ANTHONY  
ZABIT, KAREN SALAZAR,  
BRANDON CHANEY, DEANNA  
CHANEY, AND IXC HOLDINGS,  
INC. (“TELEKENEX  
DEFENDANTS”) FROM AXIS  
REINSURANCE COMPANY’S  
FIRST AMENDED COMPLAINT;  
AND**
- 2) **SECOND AMENDED  
COUNTERCLAIM OF THE  
TELEKENEX DEFENDANTS IN  
ITS ENTIRETY**

[Fed. R. Civ. P. 41(a), (c)]

Plaintiff/Counter-Defendant AXIS Reinsurance Company (“AXIS”) and Defendants/Counter-Claimants Telekenex, Inc., Anthony Zabit, Karen Salazar, Brandon Chaney, Deanna Chaney, and IXC Holdings, Inc. (collectively, the “Telekenex Defendants”) have reached a settlement, one term of which requires the dismissal of their respective claims against each other in this action.

Case No. 3:12-cv-02979-SC

STIPULATION AND REQUEST FOR DISMISSAL OF  
THE TELEKENEX DEFENDANTS AND THEIR  
SECOND AMENDED COUNTERCLAIM

1 Now therefore, AXIS and the Telekenex Defendants hereby request and stipulate as  
 2 follows:

3 (1) Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff AXIS  
 4 Reinsurance Company stipulates and agrees to the dismissal of its First Amended Complaint in  
 5 this action (ECF Doc. No. 15) as to Defendants Telekenex, Inc., Anthony Zabit, Karen Salazar,  
 6 Brandon Chaney, Deanna Chaney, and IXC Holdings, Inc. only. No other defendants are hereby  
 7 dismissed.

8 (2) Pursuant to Rule 41(a)(1) and (c) of the Federal Rules of Civil Procedure,  
 9 Defendants/Counter-Claimants Telekenex, Inc., Anthony Zabit, Karen Salazar, Brandon Chaney,  
 10 Deanna Chaney, and IXC Holdings, Inc. stipulate and agree to the dismissal of their Second  
 11 Amended Counterclaim against Plaintiff/Counter-Defendant AXIS Reinsurance Company (ECF  
 12 Doc. No. 105) in its entirety.

13 These requested and stipulated dismissals are with prejudice, with each party to bear their  
 14 own fees and costs. AXIS' First Amended Complaint shall not be dismissed hereby as to the  
 15 remaining defendants.

17 Dated: December 20, 2013

18 Respectfully submitted,

19 TROUTMAN SANDERS LLP

20 BY:

21 Terrence R. McInnis

22 Ross Smith

23 *Attorneys for Plaintiff and Counter-  
 24 Defendant AXIS Reinsurance Company*

1 Dated: December 6, 2013

KARR TUTTLE CAMPBELL

2 BY: Jacquelyn Beatty

3 J. Dino Vasquez  
4 Jacquelyn Beatty

5 Attorneys for Defendants/Counter-Claimants  
6 Telekenex, Inc., IXC Holdings, Inc., Anthony  
7 Zabit, Karen Salazar, Brandon Chaney, and  
8 Deanna Chaney

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LAW OFFICES OF STEPHEN R. PAPPAS

10 BY: Stephen R. Pappas  
11 Stephen R. Pappas  
12 Attorneys for Defendants/Counter-Claimants  
13 Telekenex, Inc., IXC Holdings, Inc., Anthony  
14 Zabit, Karen Salazar, Brandon Chaney, and  
15 Deanna Chaney

**[PROPOSED] ORDER**

16 Good cause appearing, the request is GRANTED under the authority of FRCP 41(a)(2).

17 IT IS SO ORDERED.

18 Dated: 01/03/2014

